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Attorneys for Defendant Mesa Unified School District

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Jane Doe, an individual

Plaintiff,

vs.

The Mesa Public School District, a
government entity; Victor Rodriguez and Jane
Doe Rodriguez, husband and wife; Jane Does
I-V; John Does I-V; ABC Corporations I-X;
XYZ Partnerships I-X

Defendants.

No.

Maricopa County Superior Court
Case No. CV2022-005993

Notice of Removal

PLEASE TAKE NOTICE that defendant Mesa Unified School District, pursuant to 28 U.S.C. §§ 1441 and 1446, hereby removes the state court action described above to this Court. The grounds for removal are as follows:

1. Plaintiff commenced this action in the Superior Court of the State of Arizona for the County of Maricopa on May 11, 2022, in Case Number CV2022-005993.
2. On May 18, 2022, defendant Mesa Unified School District received the Summons, Complaint, and Certificate of Compulsory.

1 3. On information and belief, other than Plaintiff's filing of the Complaint and
2 the Certificate of Compulsory Arbitration, no proceedings have been held in this action in
3 the Superior Court of the State of Arizona for the County of Maricopa as of the date of this
4 filing of Notice of Removal.
5

6 4. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely as it has
7 been filed with this Court within thirty (30) days after receipt of the Complaint.
8

9 5. This Court has original jurisdiction over this case pursuant to 28 U.S.C. §
10 1331 because Plaintiff's Complaint asserts a federal claim under the Fourteenth
11 Amendment of the United States Constitution (42 U.S.C. § 1983).
12

13 6. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of all papers,
14 notices, process, pleadings, and orders provided to the Defendant are attached as **Exhibit 1**,
15 and by this reference are specifically made a part of this Notice of Removal.
16

17 7. Defendant Mesa Unified School District will promptly provide notice of the
18 filing of this Notice of Removal to counsel for Plaintiff and a copy of this Notice of
19 Removal will be filed with the Clerk of the Superior Court of the State of Arizona for the
20 County of Maricopa, pursuant to 28 U.S.C. § 1446(d). Under 28 U.S.C. § 1441, and all
21 applicable statutes with which Defendant Mesa Unified School District has complied, this
22 action is removed to the United States District Court for the District of Arizona.
23

24 Accordingly, Defendant Mesa Unified School District respectfully requests that this
25 Court assume full jurisdiction over the action as provided by law.
26
27
28

1 DATED this 25th day of May, 2022.

2 WRIGHT WELKER & PAUOLE, PLC

3
4 By /s/ David K. Pauole
5 David K. Pauole
6 10429 South 51st Street, Suite 285
7 Phoenix, AZ 85044
8 Attorneys for Defendant Mesa Unified
9 School District

10
11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on May 25, 2022, I electronically transmitted the attached
13 document to the Clerk's Office using the CM/ECF System for filing and mailed a copy to
14 the following:

15 Timothy G. Tonkin, Esq.
16 Nasser Abujbarah, Esq.
17 Phillips Law Group, PC
18 3101 North Central Avenue, Suite 1500
19 Phoenix, AZ 85012
20 Attorneys for Plaintiff

21 /s/ Cindy M. Opsahl
22 6927-1593
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